

## **Lower Feather River Corridor Management Plan Public Outreach Meeting**

**Yuba-Sutter Farm Bureau, 475 Palora Avenue, Yuba City**

**4:00 p.m.**

Larry Lloyd opened the meeting, thanked the Farm Bureau and Sutter County Supervisor Cleveland.

Earl Nelson gave his public meeting presentation on the LFR CMP.

Open for questions or comments from the public:

Supr. Cleveland: Comments and concerns about sediment management & removal possibility have been well incorporated into the process so far. Should talk to fishermen to identify areas where sediment and sand bars build up – I will be going to them and seeking comments over the next few weeks. You answered a lot of the questions that I did have from the meeting notes with the Yuba County Board of Supervisors.

Regarding creation of high ground refuge for mammals during medium flood events – we’ve discussed that in the past... integration of channels to allow maintenance when it’s reached a certain base level to clean them out of sediment and return to a base level. EFM zones and meandering; I know that river meandering is more about large changes during large events, but I think that allowing meandering in Nelson Slough and other sediment areas is important. Public safety is the key consideration. Where the river narrows down at Star Bend, that presents a difficulty, and increasing flow there to meet and maintain the 200-year standard is important. The increased flows that LD-1 and TRLIA have obtained need to be kept – we fought hard for that, and Yuba County fought hard for that. If there are ways that environmental mitigation can be moved or equalized to have neutral impact on freeboard, that is preferable.

Earl Nelson: We are looking at ways to do that. TRLIA did very conservative modeling, including very dense vegetation, and we would probably do vegetation in a way to keep open space and avoid that concern. Freeboard is regulated by USACE 1957 profile (much higher than where the freeboard is now) and the CVFPB has jurisdiction over the freeboard, and will be making decisions about whether projects can and can’t happen, and looking at modeling to see how a project would affect the freeboard before making that decision.

Supr. Cleveland: I’d like to know what USACE definition of freeboard is for this area (1957 level is much higher than the 200-year protection interval that we’re seeking here).

Sean Minard: At southern end, 200-year is often higher than the 1957.

Earl Nelson: On the northern section, there is substantial freeboard beyond what the USACE requires.

Barbara LaVake: I admit that I looked at this plan with a lot of skepticism. In terms of funding – did DWR funding come from bond or general fund, and how much is it costing?

Earl Nelson: Phase I was about \$100,000, Phase II is about \$750,000, and we are estimating that the total for all permitting will be about \$1.3 million. Funding is from Proposition 84, Proposition 1E, and some general fund money. (Clarification that so far it has all been Prop 1E and the general fund).

Barbara LaVake: Is this similar to Sacramento River Restoration Forum?

Earl Nelson: I’m not familiar with their plan; I’m familiar with the forum as a venue for airing projects. We are not affiliated with them in any way; there’s no real linkage. This is a separate plan, part of the State’s overall flood planning as part of FloodSAFE.

Barbara LaVake But what we're talking about is really habitat restoration?

Earl Nelson: We're talking about maintenance of the corridor, because the State has that responsibility. Habitat restoration comes in as mitigation to avoid repetitive mitigation efforts for maintenance.

Barbara LaVake: We've had discussions on our board, and I sat on the State Reclamation Board for some years. River Partners and others who do habitat restoration get a grant, come in and plant vegetation (and LD-1 has issues with some of the proposals that are being made) they care for it for 3 years, and there's not funding for continued maintenance after that. We, the levee district with responsibility for public safety, end up with projects where there's nobody to provide maintenance with nobody to fund it. Convince me that this is a good thing.

Earl Nelson: I've had numerous conversations with Keith Swanson, DWR Flood Maintenance Office Manager about this. State has responsibility for maintaining the channel between the levees. The State gets a certain amount of general fund money and has access to a certain amount of bond funding. Keith believes we have enough money to preserve channel and maintain the correct amount of freeboard. If we have to cut programs and staff, maintenance is not going to stop – public safety trumps everything, and maintenance must continue to happen. The people who do the maintenance and get the funding are going to work hard to make sure we continue to have enough money for maintenance. Water Resources was cut 40-50% in 2001, and re-staffed after bond issues in 2006. The reason we were able to staff up was that managers identified problems in a white paper, and then Katrina hit in New Orleans. That drove action to make sure that flood channel maintenance is funded. Keith's opinion is that we will always have enough money to do the maintenance – other things will be cut first if we have to do cuts.

Diane Fales: What type of channel maintenance does the state do now?

Earl Nelson: Burning, brush removal, snag removal.

Diane Fales: I don't see the State doing any maintenance on Bear River, Yankee Slough (some other locations).

Earl Nelson: I don't know whether we have jurisdiction there. Karen Hull provided a list of their actions – Feather River, Sutter Bypass, Sacramento River. Only in the channels where it's accepted that the Reclamation Board/CVFPB has jurisdiction.

Diane Fales: As long as you have state project levees, all of what you're talking about here.

Supr. Cleveland: this process is completely different – they're not looking into doing anything like the safe harbor agreement – a much looser group compared to SRCAF. As far as maintenance, I've been out with Karen Hull to discuss Nelson Slough and difficulty of doing maintenance, and getting permitting, and mitigation – difficult time getting into areas to maintain anymore. Having a plan like this that defines the baseline for maintenance of channels at the level we need for flood control and public safety without as much bureaucratic and regulatory difficulty should streamline. We're trying to establish a reasonable baseline, and then we can maintain.

Tony Danna: We're hoping that we can increase efficiency to do more (time windows, etc). Right now, a lot of work has to happen between mid-July and October 1. We have to do spot to spot permitting. We think that having a permit that covers 22 miles of rivers would add efficiency.

Supr. Cleveland: Another thing is that if another project (heaven forbid a setback levee) could reduce the amount of study required for that project – there will be information there to work with already. Small levee changes – other projects might be easier with that kind of baseline.

Diane Fales: Do you think sediment removal/dredging would be made easier?

Supr. Cleveland: We don't use the word dredging. I've been working hard to get River Partners and DFG to recognize mutual benefit of this process.

Earl Nelson: In order to get the programmatic permit for sediment removal, we need to identify where it's coming from, where it's going to be taken out, where it'll be deposited, and Keith's idea is that we'll put it along the levees as seepage berms.

Diane Fales: Landside, so will need larger rights of ways?

Earl Nelson: Could also be on waterside – we need to see what opportunities there are.

Supr. Cleveland: Could also be materials to be mixed with clay and strengthen/widen levees.

Diane Fales: I'm sure it's a usable resource.

Earl Nelson: If we don't have a place to put it, we might be able to get a contract with a sand and gravel company for construction – there are different options we'll look at.

Tony Danna: We did a field tour in May, and one of the things that we looked at was where sediment buildup takes place and where erosion takes place. Part of what we're doing is gathering information and looking for opportunities. Both in Nelson Slough and the erosion on the east bank is something that we're trying to address.

Earl Nelson: A couple of the very active participants have been Steve Fordice (RD 784) and Jeff Twitchell, who used to be with LD-1.

Sean Minard: When you say you're going to hold a baseline, and if an area would go above the 1957 profile, you could say no to restoration. What water surface profile are you doing? MBK or the one that SBFCA has established with the USACE?

Earl Nelson: Relying on the TRLIA as the baseline, but upgrading the bathymetry to some degree. Compared to SBFCA and found that it wasn't different enough to justify changes, but are not using SBFCA.

Tony Danna: You were referring to the baseline of—for instance—going from 400 to 2,400 elderberries plants, and you have to cut back to 400 plants, you're not really losing any individuals from the baseline of 400 plants. If we can establish a baseline at Star Bend before bushes are put in, it could be very beneficial effort.

Earl Nelson: CVFPB has taken a strong stand against elderberries in the channel unless there is an allowance to let them go in and remove the elderberries for conveyance purposes. Part of what we're working on here is to expand that authorization so that when restoration goes in, the right to maintain it in the future is already established, and the pattern of restoration will be based on the modeling results so it doesn't reduce freeboard. Purpose of the model is to show us where, how, and how dense it can happen, or if a low roughness channel is needed, and if so, that channel would have to be maintained. Going all the way down to the Sutter Bypass and into the bypass to make sure that the confluence is accurately represented in the model.

Barbara LaVake: I would go on the record questioning that there will be long term funding for maintenance. I'm not sure that I'm as optimistic as Keith Swanson, short of another Katrina, or a disaster here or in Sacramento. I am not nearly as optimistic about funding. That's a major concern for me.

Earl Nelson: Not sure that we can say there'll be plenty of money, but there should be adequate money.

Barbara LaVake: I'm not sure that the State funders see it that way – they have short memories.

Earl Nelson: It's a valid concern, but historically we've always had some maintenance money, and we try to maintain to a reasonable level. Through the CVFPP, weaknesses have been identified and levees are being strengthened all over the valley. EIP funding has led to projects in Wheatland, on the Bear, SBFCA has applied for EIP money and it's pending... things are getting better, and we're hoping that this vision helps with future decision making to keep it better.

Barbara LaVake: Is there this type of corridor plan along San Joaquin?

Earl Nelson: This is the pilot. They will eventually, if they get around to it. They are currently doing habitat and fish restoration in the San Joaquin and it's causing some problems.

Larry Lloyd: I'm hearing skepticism about funding in difficult economic times. Are we saying we're a disaster driven society (yes). New Years' Day flood in 1997, Katrina, and Sen. Feinstein's comments about Sacramento Valley danger of a similar disaster. It's easy to be skeptical that we'll find funding to repair levees and protect the public, but this project is little, compared to what it would take to fix the levees (\$1.3 million for plan and permitting). Rather than being skeptical, take a positive approach and see this as a piece of a solution. It's a question of scale.

Earl Nelson: I heard skepticism that the money for maintenance will dry up, and restoration projects will clog the channel, levee's will over top, and we'll have a flood. Restoration with native plants will have less roughness than if the river corridor goes wild with arundo and wild blackberries.

Larry Lloyd: We've done projects helping to eradicate hydrilla and arundo in irrigation ditches in 777, and the legislature decided to blow up that project. No more baseline funding for weed management projects in the State. That's a shame – all the work done to this point will be a waste of money, because the weeds that we've almost gotten rid of will come back because we can't come back and treat the stubble, etc.

Earl Nelson: If you get maintenance established, invasive plants don't come in so easily.

Supr. Cleveland: I've sat in a lot of meetings where disappointment was expressed about promises made and broken – this area has been left holding the bag on a lot of projects (roads and other infrastructure). With that behind it, this is an opportunity to be frontline, establish baseline concepts for the State. This is the project that will establish a lot of that for the State. We were chosen to do this, and we need to be deeply involved to make sure that the right vision and the right message is being put out – so that it will be more directed at public safety than restoration and recreation (though recreation component may reduce densities in some places and raise awareness of what's happening).

Barbara LaVake: What's the outdoor recreation component here?

Supr. Cleveland: Some of the stuff that DFG already has. If 104 ever gets permits or credits from the federal government, we need those components to be in there. One of the main recreation sites is the Feather River Parkway to Shanghai Bend – USACE

Sean Minard: I've been at numerous board meetings for LD-1 and 784. I think that baseline is a great idea so as things go you can remove plants or sediments to maintain that line at 200 year flood protection as required by the State for development. Some of the districts feel like this is an opportunity to figure out how to plant more vegetation. But, the concept of getting a problematic permit (Nelson Slough for example, which used to be rice field and is now trees and no maintenance happening). I see a lot of these districts being afraid this is a tool to do more restoration that isn't maintained, with no way to take it back to the baseline.

Barbara LaVake: I think the purpose of coming out in the public to get more information and input, and you've gotten it. Thank you for the opportunity to offer my concerns on behalf of LD-1.

Earl Nelson: One of the purposes here is to promote more restoration, but to make sure it's done in a way that preserves and protects public safety – and enhances it by making sure that it translates into mitigation credits allowing more maintenance and win-win.

Barbara LaVake: I'm a big supporter of mitigation credits if it can work that way. My experience has not always been positive in terms of folks that want to do habitat restoration. Restoration in the past has in fact been counter to our public safety goal in our opinion.

Earl Nelson: Our hope is that we can integrate these goals and enhance public safety by shaping, designing, and controlling restoration to match public safety goals. Whether we're successful remains to be seen.

Barbara LaVake: It's hard to generate interest when it's 95 degrees – but working through levee and reclamation districts, and city and county bodies. If you plan far enough ahead, all of those agencies can filter down information.

Supr. Cleveland: This new NFIP authorization process is looking at not just 100-year study, but also 250-year study (not 200-year like California). I'll have to go back and find that. 100, 250, and 500 year. So, we should be careful that the ability to increase to the 250 is preserved, in case these requirements do change.

Tony Danna: We'll be meeting with Sutter County next week, and also meeting with levee maintenance folks. We're meeting with SBFCA August 10 or 11. We do have outlines of the Corrdior Management Plan document on the side table. The target date for the Plan is February 29, 2012, with more public meetings after that.

Earl Nelson: Those meetings will be CEQA meetings on permitting approval and an opportunity to see the draft plan and comment on it.